

Application No.: 09/942,363

Docket No.: TESSERA 3.0-159 DIV

REMARKS

The present communication is responsive to the Official Action mailed June 28, 2002.

The Examiner's comments concerning the telephone interview of May 30, 2002 are noted. Manifestly, there was some failure of communication, as counsel's remarks in the response filed with certificate of mailing dated June 3, 2002 were based on counsel's understanding as to the results of such interview.

The restriction requirement is traversed for substantially the same reasons as set forth in the last previous response. Again, some of the claims in the invention now characterized as the combination (Group I) require the exact subcombination set forth in Group II (claims 20-29). As previously pointed out, claim 1 substantially tracks the language of independent claim 20, with the sole exception that claim 1 does not require the use of a "spherical core," whereas claim 5, dependent from claim 1, does require the use of a spherical core and, hence, requires the use of the subcombination set forth in claim 20. According to the criteria set forth in the Official Action, claim 1, and particularly claim 5, should not be divided from claim 20. As also previously pointed out, restriction may be proper as between claims 16-19 (which do not require the subcombination) and the other claims in the case, and the requirement should be modified accordingly.

For the reasons set forth above, reconsideration and favorable action are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.


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If there are any additional charges in connection with this response, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 10, 2002

Respectfully submitted,

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